

## AN ACT

ENTITLED, An Act to authorize the Board of Regents to lease a site for delivery of public higher education in Sioux Falls and to use money appropriated by the Legislature from the higher education facilities fund to make lease payments therefor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. Notwithstanding any other provisions of law, the Board of Regents may enter into a lease agreement with the Sioux Falls public school district for the lease of a site to be used only for the delivery of public higher education programs. All such academic programs shall be directly provided by the following institutions:

- (1) University of South Dakota;
- (2) South Dakota State University;
- (3) South Dakota School of Mines and Technology;
- (4) Northern State University;
- (5) Black Hills State University; or
- (6) Dakota State University.

No postsecondary degrees may be awarded or conferred except by the above institutions.

The board may use funds annually appropriated by the Legislature from the higher education facilities fund, created in § 13-51-2, to make payments therefor.

Section 2. That § 13-51-2 be amended to read as follows:

13-51-2. There is continued an educational facilities fund in the state treasury from which on and after July 1, 1984, the Board of Regents may make expenditures, relating only to institutions of higher education under its jurisdiction, to:

- (1) Make lease payments to the South Dakota Building Authority for projects authorized to be paid out of that fund by the Legislature;
- (2) Maintain and repair existing facilities in amounts as may from time to time be authorized

by the Legislature;

- (3) Make rent payments from higher education facilities funds, appropriated through the general appropriation act for such purposes, to other private or public parties for educational facilities in accordance with § 13-51-1 as necessary to the proper and efficient delivery of instruction; and
- (4) Build and equip new facilities as may from time to time be authorized by the Legislature.

No funding may be provided in any year for subdivision (3) or (4) of this section until the level of annual appropriations reaches three million dollars for subdivision (2) of this section. Authorizations for new lease payments, new construction, reconstruction, and renovation are restricted to and shall not exceed the amount of higher education facilities funds in excess of the sum of existing lease payments to the South Dakota Building Authority plus three million dollars for maintenance and repair.

Section 3. That § 4-8A-13 be repealed.

An Act to authorize the Board of Regents to lease a site for delivery of public higher education in Sioux Falls and to use money appropriated by the Legislature from the higher education facilities fund to make lease payments therefor.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 252

\_\_\_\_\_  
Secretary of the Senate  
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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 252  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

19\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 19\_\_\_\_

\_\_\_\_\_  
Governor  
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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 19\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State